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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 GARY OSTER,

12 Plaintiff,

13 v.

14 HAROLD CLARKE, *et al*,

15 Defendants.
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Case No. C07-5508RJB-KLS

ORDER GRANTING
PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO FILE
JOINT STATUS REPORT

20 This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. §
21 636(b)(1), Local Rules MJR 3 and 4, and Federal Rule of Civil Procedure ("Fed. R. Civ. P.") 72. The
22 case is before the Court on plaintiff's filing of a motion for extension of time to file joint status report.
23 (Dkt. #56). After reviewing plaintiff's motion and the balance of the record, the Court finds and orders as
24 follows:

25 On May 27, 2008, the Court issued a pretrial scheduling order setting a deadline of November 27,
26 2008, by which to file all dispositive motions, and a deadline of January 1, 2009, by which to file a joint
27 status report. (Dkt. #30). On November 26, 2008, defendants filed a motion for summary judgment. (Dkt.
28 #47). That motion currently is noted for consideration on March 6, 2009, pursuant to the Court's order

1 (Dkt. #59) granting plaintiff's motion for extension of time to respond thereto (Dkt. #50).

2 Plaintiff argues in his current motion that given that defendants' motion for summary judgment is
3 still pending, it is premature to require the parties to file a joint status report. The Court agrees. A such,
4 plaintiff's motion for extension of time to file joint status report (Dkt. #56) hereby is GRANTED. The
5 parties and their counsel, if any, shall confer and provide the Court with a joint status report by **no later**
6 **than April 20, 2009**. The joint status report shall contain the following information by corresponding
7 paragraph numbers:

8 1. A short and concise statement of the case, including the remaining legal and factual issues to
9 be determined at trial;

10 2. A narrative written statement from each party setting forth the facts that will be offered by oral
11 or written documentary evidence at trial;

12 3. A list of all exhibits to be offered into evidence at trial;

13 4. A list of the names and addresses of all the witnesses each party intends to call along with a
14 short summary of anticipated testimony of each witness.

15 5. Whether the parties agree to arbitration under this district's arbitration program, and if so
16 whether the arbitration will be final and conclusive or the right to trial de novo will be preserved (see
17 Local Rule CR 39.1(d));

18 6. Whether the case should be bifurcated by trying the liability issues before the damages issues,
19 or specially managed in any other way;

20 7. Any other suggestions for shortening or simplifying the trial in this case;

21 8. The date the case will be ready for trial, considering Local Rule CR 16 deadlines;

22 9. The dates on which trial counsel are unavailable and any other complications to be considered
23 in setting a trial date;

24 10. Whether the trial will by jury or non-jury;

25 11. The number of trial days required, and suggestions for shortening trial;

26 12. The names, addresses, and telephone numbers of all trial counsel and unrepresented (pro se)
27 parties who intend to appear at trial.

28 If the parties are unable to agree on any part of the report, they may answer in separate paragraphs.

Separate reports are not to be filed. Plaintiff's counsel (or plaintiff, if *pro se*) will be responsible for

1 initiating communications for the preparation of the joint status report.

2 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

3 DATED this 6th day of February, 2009.

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7 Karen L. Strombom
8 United States Magistrate Judge
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